

1884-003 Chancery Causes: John E. Rasnic & vs. J. J. Rasnic &
Lee Co

Hambleton, Glass, Unthank, Fannon, Kinder, Grindstaff,
McCracken, Goble, Hamilton, Maness, Rasnick

1 Plat

CA - Estate Dispute
T - Property

To the Honorable John A Kelly
Judge of the Circuit Court
of Lee Co Va.

2
Humbly complaining, sheweth
unto your Honor, your orators, -
John E Rasnie, Malinda A Hamilton,
J B Glass, & Nancy Glass his wife, M. N.
Glass & Elizabeth his wife, Artemissie Un-
thank, John W Fannon, & Alcie his wife Jno
Kinder & Rachel his wife, heirs at law
of Jacob Rasnie dec'd together with
W^m Rasnie and James Rasnie heirs at
law of William Rasnie deceased who was ^{a son} ~~was~~
~~the~~ Jacob Rasnie aforesaid, Plaintiffs vs
J J Rasnie, John Grindstaff & Winnie
his wife, — McEcracken & Martha J. his
wife, and Thronn Gabble & Mary A his
wife heirs at law of said Jacob Ras-
nie dec'd, defendants.

That the said Jacob Rasnie, died
seized in fee simple of three parcels of
land of which he made no disposi-
tion by will. To wit No 1 an entry by
said Jacob Rasnie, on the South side
of Waller's Ridge, in Lee county Va ~~adjoining~~
ing J E Rasnie's land on the West, contain-
ing 14 1/2 acres, No 2 an entry made by said
Jacob Rasnie on the waters of Waller's creek

in said county, adjoining J E Rasnie's
land on the East containing $4\frac{1}{2}$ acres
No 3 an entry made by in the name of
Absalom Lloyd assignee of Jonathan
Ratliff, and conveyed to said Jacob
Rasnie by said Lloyd containing 9
acres adjoining J E Rasnie's ^{land} on the South
& East.

It is further shown unto your Honor
that the aforesaid J B Glass & Nancy
his wife, ^{Maryda A. Hamilton,} John Smider and Rachel his
wife, & William Rasnick & James Ras-
nick have sold and conveyed their
rights to your orator M. N. Glass.

Proof of which conveyance is here made
The object of this suit is to have
the lands, before named and de-
scribed, partitioned, among the heirs
according to their respective rights,
or sold and the proceeds of the
same divided among said heirs
according to their respective rights
The premises considered the prayer
of your complainants is that the
said J J Rasnie, John Grindstaff &
Winnie his wife, ——— McBracken &
Martha J. his wife, and Hiram Gabbie
& Mary A his wife be made parties defendants

*
Giving to
your orator
M N Glass
5 shares in
one parcel,

to this bill and be required to answer the same. That the aforesaid tracts of land be partitioned and allotted as aforesaid; or sold and the proceeds divided as aforesaid, and for all other further and General relief as the nature of the case may require or to Equity may seem meet. May proper process issue. And is in duty &c.

W. D. Morris. Atty
for Plff's

A 10.

Albany

John E. Rasmie
et al
vs Bill Chey

J. J. Rasmie et al

1882 Sept 19 Bill filed

" Oct 24 Exec on home

depts. V.D. N. as to them O.D.

" Nov. 1st Conf. as to

" Jan. 1st Completed & set
for hearing by Piffs

" 1st continued.

1883, Mr. Decree & Cont'd.

" Aug of Mr Cont'd

1884 Mr. Decree final

Decree of John E. Rasmie from Decree to 34 cents
his part of the cost in this case, Aug. 25 1884
J. H. Stoughton

C	13.26
leo C	2.50
A	15.00
P	5.00
S	3.00
	<hr/> 38.76
Course	14.30
	<hr/> \$52.06

Cobble & wife 1/4	13.02
Mandias Glass 1/2	26.03
Alex Hannon 1/2	4.34
Jane Mac 1/2	4.34
John E. Rasmie 1/2	4.34
	<hr/> \$82.07

26 03
49 03

John E. Rasnick. Plff.

Against
J. J. Rasnick et al

This cause came on this day to be heard upon the papers formerly read and the report of John P. Graham & J. Litton and John M. Tate, filed Nov 30th 1883 to which there are no exceptions and was argued by Counsel - On Consideration whereof and for reasons appearing to the Court said report is confirmed and made final and each of the parties are decreed to hold the land respectively assigned them free from the claims of the other and the clerk of this Court will furnish copies of the said report and decree directing the same together with this decree of confirmation to the clerk of the County Court of this County who will record the same. The clerk will then tax the costs of this suit including the fees of the County Court, and of this sum Mary Gobble ~~wife~~ of Hiram Gobble shall pay $\frac{3}{4}$ = $\frac{1}{6}$ and Manahis Glap shall pay $\frac{1}{2}$ = $(\frac{1}{2})$ and Alay Lanon $\frac{1}{2}$ = $\frac{1}{6}$ Jane Sore wife of F Moore $\frac{1}{2}$ and the plff the residue $\frac{1}{2}$ and the cause is stricken from the docket.

John E. Rasnick et al

v J Deere et al

J. J. Rasnick et

March 7. 1884

Entered page 375.

J. A. Hyatt
clerk.

Enter this
March 29 1884
J. A. Hyatt

John E. Rasmick et al. Complainants
21
J. J. Rasmick et al. Defs. } In Chy.

This cause came on this day to be heard on the bill, the answer of defendants, Gobble and wife, ^{with replications} the due execution of the order of publication against the absent defendants, and was argued by counsel. On consideration whereof it is adjudged, ordered and decreed that, John M. Tate, John D. Gramham & Sitten do go upon the lands sought by the bill in this cause to be partitioned, and after being duly sworn faithfully and impartially to execute their duties under this decree, they will ascertain what lands Jacob Rasmick died entitled to and undisposed of by deed or will. They will then ascertain whether, without prejudice to the ^{value of, the} remaining $9/12$, the $3/12$ of these lands which descended to Mary Gobble wife of Hiram Gobble, J. J. Rasmick & Kitty Gramham can be laid off together adjoining the lands of said Gobbles. If they find this can be done, then they will so lay off the said $3/12$. They will then determine whether the remaining $9/12$ are susceptible of partition so as to lay off $5/12$ in one parcel, & the remaining $4/12$ each in a separate parcel, ^{without injury to any of the parties} & if this can be done, they will so partition them, allotting the shares properly. If this cannot be done, they will not partition these $9/12$. The commissioners will report their action to Court, together with any other matter specially stated deemed pertinent by himself or required by any party & the cause is continued.

Ramin & Rarnick

is it ?

Entered page 307-8.

J. A. Hyatt
Clerk

Enter
J. A. K.
Mar 27/83

Virginia

At a circuit Court continued and held
for Lee County at the Court House thereof on
the 3rd day of March 1883.

John E. Rasnick et al Plffs }
vs } In Chancery
J. J. Rasnick et al Defts }

This cause came on this day to be heard on the bill, the answer of defendants Gobble and wife, with replication thereto, the due execution of the order of publication against the absent defendants, and was argued by Counsel. On consideration whereof it is adjudged, ordered and decreed that John M. Tate, John P. Graham and A. J. Litton do go upon the lands sought by the bill in this cause to be partitioned, and after being sworn, faithfully and impartially to execute their duties under this decree, they will ascertain what lands Jacob Rasnick died entitled to and undisposed of by deed or will. They will then ascertain whether, without prejudice to the value of the remaining $\frac{1}{2}$, the $\frac{3}{4}$ of these lands which descended to Mary Gobble wife of Hiram Gobble, J. J. Rasnick and Kitty Grindstaff can be laid off together adjoining the lands of said Gobbles. If they find this can be done, then they will so lay off the said $\frac{3}{4}$. They will then determine whether the remaining $\frac{1}{2}$ are susceptible of partition, so as to lay off $\frac{5}{12}$ in one parcel and the remaining $\frac{1}{12}$ each in a separate parcel, without injury to any of the parties and if this can be done, they will so partition them, allotting the shares properly. If this can not be done, they will not partition these $\frac{1}{2}$. The Commissioners will report their action to Court together with

any other matter specially stated deemed
pertinent by themselves are required by any
party and the cause is continued.

A Copy Testi. —

J. A. Hyatt
Clerk

John C. Rasnick et al
Copy of Decree
for Carriers.

J. J. Rasnick et al

Excluded by deliver-
ing a copy of the
within to each of
the parties & miles.
D. J.

John E. Rasnick et al.

vs

Plffs.

Defes

J. J. Rasnick et al.

Defts.

I A. C. D. Mearns, do hereby certify
that — McCracken & Martha J. his
wife formerly Rasnick, John Grindstaff
and Minnie his wife formerly Rasnick
are non-residents of this State
as I am informed & believe.

A. C. D. Mearns

Sworn to before me Sept 4. 1882

J. A. Isbryatt
Clerk

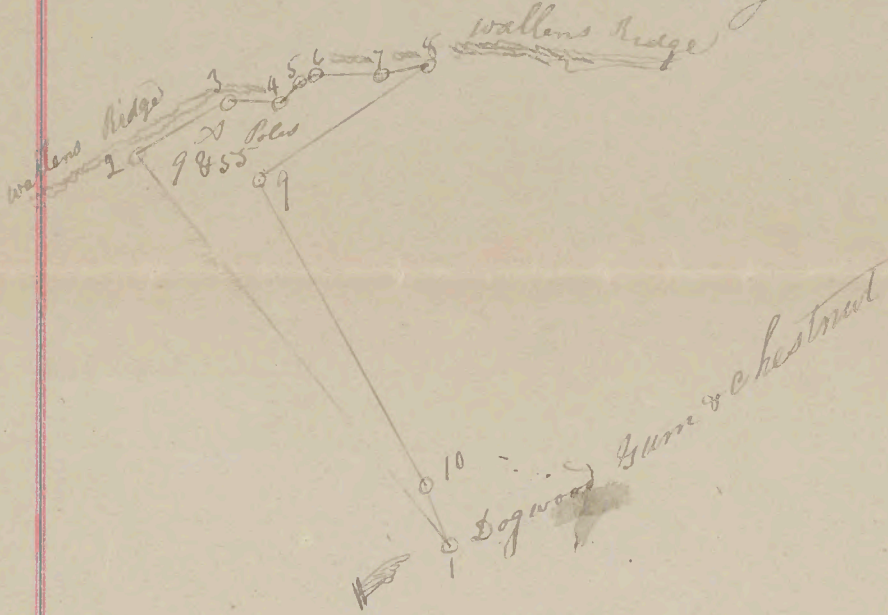
John E. Rasnick et al
vs ³ Affidavit
J. J. Rasnick et al

8.68
4.34

13.02

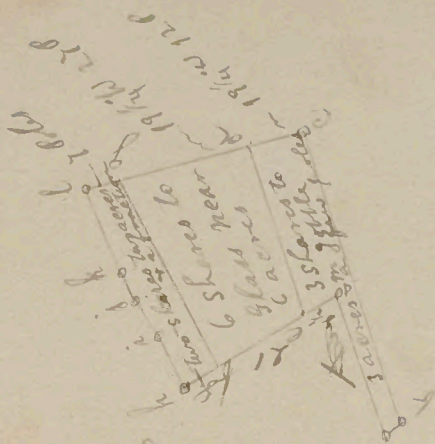
Virginia Lee County court clerk's office the 5th day
of July 1884. The foregoing plat and report of
the Partition of the lands of Jacob Rasnick
deced. was this day filed in this office
and admitted to record.

Test John R. Gibson
clerk



To the Honorable John A. Kelly judge of the
Circuit Court held ^{for} the County of Lee State
of Virginia March term 1883 Pursuant to
your order we A. J. Lotton & John S. Graham
(John M. Tate failing to come) ^{after being duly sworn for the purpose} went upon the
lands of Jacob Rasnick deceased on the
26th and following days of November 1883 and
found two small tract or remnants of land
in the estate of the said Jacob Rasnick deceased
undisposed of by Deed or will which we pro-
ceeded to survey lay off and assign to the
parties entitled we assign one tract known
as the 14¹/₂ acre tract held by the said Jacob
Rasnick under a Grant from the commonwealth
(we had the ^{Patent} run by we found said survey to
contain 7 acres and 55 poles) to John E. Rasnick
we were hardly satisfied to give this tract all
to one but it is so situated as that it would be
almost worthless if divided after due consideration
and consulting the parties present who were interested

and I think all ~~the~~ were present but two who reside
in the west none seemed willing to take this lot
but the said John C. Masnick and in order to
get the matter out of court we have assigned
said lot to him the John C. Masnick it is
situated on the south side of Wallers ridge
and worth but little except the timber and bound-
ed as follows (see the foregoing diagram
marked 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.) Beginning at the
index and 1. at a Dogwood Gum & chestnut
a corner to one Campbell survey and with a
line of J. J. Masnicks Land N 38 $\frac{1}{4}$ ° W 104
Poles to 3 Hickories on the top of Wallers Ridge
at 2 then along the top of said ridge as it
meanders N 60° E 22 poles S 87° E 11 poles N 43° E
6 poles N 59 $\frac{1}{2}$ ° E 3 $\frac{1}{2}$ poles S 89° E 14 poles N 80° E 10
Poles to a stake a little west of a low gap on
the top of said ridge then leaving the top
of said ridge S 52 $\frac{1}{2}$ ° W 58 poles to a poplar &
chestnut on the side of said ridge S 28 $\frac{3}{4}$ ° E
72 poles to a white oak & sourwood then S 20 $\frac{1}{2}$ ° E
13 poles to the Beginning these last lines from
the top of the ridge to the beginning are
the lines of the said John C. Masnicks
land on which he now lives so that this lot
suits him better than any other one of the
heirs



We surveyed an other tract containing 11 acres &
 56 Poles adjoining the lands of Hiram Goble and
 others and we assign to Mary Goble wife of Hiram
 Goble three acres and a few poles as the $\frac{1}{2}$ indicates
 in your order by a reference to the foregoing plat
 you will see this lot marked beginning at the
 indiana poplar beech & maple corner to David
 Banners land and with lines of same S 75° E $19^{\frac{1}{4}}$
 E 31 Poles to a stake corner to said banner land N 46°
 E 4 Poles to a Rock a corner to said Banner & Hiram
 Gobles land then along a line of the said Gobles
 a line of the old crabtree tract N $19^{\frac{1}{4}}$ W 6 $1\frac{1}{4}$ Poles
 to a stake where the Campbell line crosses the
 crabtree line then with the Campbell line
 S 75° W 12 Poles to a stake then leaving the said
 Campbell line S $19^{\frac{1}{4}}$ E 37 Poles to a stake in
 David Banners line and with it N $57^{\frac{1}{4}}$ E $8^{\frac{1}{4}}$ Poles to
 the beginning — We next assign near 6 acres to
 Manelius K. Glass as $\frac{1}{2}$ of the whole he having acquired
 another share since the date of your order the party
 acknowledging the same to A. J. Litton one of the com-
 missioners in this cause these $\frac{1}{2}$ may be seen on the
 diagram ^{beginning} at a corner to Mary Gobles lot and with
 her line S $19^{\frac{1}{4}}$ E 37 Poles to a stake on David Banners
 line then with his line S $57^{\frac{1}{4}}$ W $20^{\frac{1}{2}}$ Poles to a black oak
 white oak and dogwood bushes then N $26^{\frac{1}{2}}$ W 44 Poles

Bill of expenses to the surveyor for measuring 1000 Acres at 19 per first 7 hundred & 49 per bal \$5.80
 for making two cal 500 each and two plots 500 each one Report 500 Travel & money \$3.30
 to A. J. Littleton commissioner near three days at \$1.00 per day \$3.00
 to Wilson Glass chain carrier two and a half days at \$1.00 per day 2.50
 \$14.30

John, E. Rasnicketer

vs } Course Report
 & } & Plat
 J. J. Rasnicketer

Filed Nov. 30th 1883,
 J. J. Rasnicketer
 Clerk

Recorded in deed
 Book 1020 P. 97.
 J. R. Gibson atty.

Course fee Sur. \$8.80
 A. J. Littleton 3.00
 Chain carrier 2.50
 \$14.30

to a stake and chestnut Oak bushes in the Campbell line and with line of the same N 75 E
 27 Poles poles to the Beginning
 We next assign the eastern half of the two remaining shares or two twelfths to Alsey Fannon wife of John Fannon and the western half to Jane Roe wife of F. Roe
 These two shares will be seen by a reference to the plat beginning at g a corner to M. R. Glasses lot on the Campbell line then with said Glasses line S 26 1/2 E 44 Poles to a Black Oak White Oak and Dogwood bushes on Banners line and with it S 57 1/4 W 8 Poles to a stake corner to John C. Rasnick's land and with his lines N 25 W 11 1/2 Poles N 32 1/2 W 8 1/2 Poles N 25 W 6 poles N 23 W 19 Poles to a stake in the Campbell line and with same N 75 E 7 Poles to a stake and chestnut Oak bush a corner to M. R. Glasses lot (the beginning) now these two shares shall be divided by finding the center of the 8 Pole line at the southern end of these lots and also finding the center of the 7 Pole line on the northern end of them then draw a direct line from one of these points to the other all of which we respectfully submit
 Nov 30th 1883 John P. Graham comm
 A. J. Littleton

Virginia

In the Clerk's Office of the Circuit
of Lee County, Wednesday September 20th 1882.

John E. Rasnic et als

vs

J. J. Rasnic et als

Plffs

Defts

In Chancery

The object of this ~~Suit~~ is to have
the lands in the Bill & proceedings
mentioned partitioned among
the heirs according to their respective
rights, and it appearing from
an affidavit filed in this cause
that ———— McCracken and Martha
McCracken his wife, formerly Martha J.
Rasnic, John Grindstaff and Winnie
Grindstaff his wife formerly Winnie Rasnic
are non-residents of this State — It
is therefore ordered that they appear
here within one month after due
publication of this order to do
what may be necessary to protect
their interest in this suit.

A Copy Teste —

D. G. A. C. D. Maness

J. A. Hyatt
Clerk

J. G. Rasnietal
vs 3 ord. Pub

J. J. Rasnietal

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting :

We Command you to Summon

*J. J. Rasnic, John Brindstaff
& Minnie his wife, — M^c Cracken & Martha
J his wife and Hiram Gobble and Mary
A his wife*

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

October next, being rule day to answer a bill in Chancery, exhibited in our said Court against *them*

by *John E. Rasnic, Malinda*

*A Hambleton, J. B. Glass & Nancy his wife, M. N.
Glass & Elizabeth his wife, Artemissa Unthank John
W. Lannon & Elsie his wife, John Kinder & Rachel his
wife, Wm Rasnic and James Rasnic*

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the court-house

this *19th* day of *Sept.*, 1882; in the *107* year of the Commonwealth.

J. A. Hyatt CLERK,

Managers

Miles 1.00

John E. Rasnic et als
vs. ³ Spencer & Co

J. J. Rasnic et als

Lo October Rules 1882

Executed by
delivering copies
of the within to each
of the parties, Sept
30th 1882.

L. Miles D.S.

Publisher's Certificate.

Jonesville, Va., Nov. 27, 1882.

I. F. R. STICKLEY, Publisher of the LEE COUNTY SENTINEL, a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed Chancery Order was published four successive weeks in said newspaper, publication ending Oct 13, 1882.

I. F. R. Stickley, Publisher.

VIRGINIA:—In the Clerk's office of the Circuit Court for Lee County, Sept. 20 th 1882.

John E. Rasnic, et als., Piffs.,
vs.
J. J. Rasnic, et als., Defts. } In Chancery.

The object of this suit is to have the Lands in the Bill and proceedings mentioned partitioned among the heirs of Jacke Rasnicdeed, according to their respective interests or rights, and it appearing from an affidavit filed in the cause that ————— McCracken and Martha J. McCracken his wife formerly Martha J. Rasnic, John Grindstaff and Minnie Grindstaff his wife formerly Minnie Rasnic, are non-residents of this State—it is ordered that they appear here with in one month after due publication of this order to do what may be necessary to protect their interest in this suit. A copy— teste:

J. A. G. HYATT, Clerk.

A. C. D. M., p q

sep22-4

Printer's fee \$5.00

John E. Rasmus
vs } Pub Certificate
J. J. Rasmus et al

Fee \$5.00